

Court of Appeals

1998 Annual Caseload

Report

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Caseloads of the Courts of Washington

Court of Appeals Highlights

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Filings

- In 1998, a total of 4,416 new cases were filed in Washington's Court of Appeals: 2,021 (45.8 percent) in Division I, 1,411 (32.0 percent) in Division II, and 984 (22.3 percent) in Division III.
 - Criminal appeals make up the majority of new appellate cases, with 1,822 filings (41.3 percent) this year. Civil appeals are comparable, with 1,549 filings (35.1 percent). Personal restraint petitions (603 – 13.7 percent) and notices of discretionary review (442 – 10.0 percent) make up the remainder of the new caseload.
 - Statewide, the Court of Appeals experienced a 9.0 percent increase in filings relative to last year. The rise proportionate to previous caseload was most dramatic in Division III, which received 168 (20.6 percent) more new cases than it did in 1997. Division II added nearly as many cases, with 127 (9.9 percent) over last year's figure (1,284). Division I saw a 69-case (3.5 percent) increase.
 - Across divisions, personal restraint petitions accounted for a large portion of the increase, followed closely by criminal and civil notices of appeal.
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Dispositions

- The Court of Appeals disposed of 4,151 cases in 1998, 1,763 by opinion and 703 by commissioners' rulings. The remainder of disposed cases were dismissed (1,342), not accepted for review (277), terminated in some other manner (47), or transferred/certified to another division or to the Supreme Court (19).
 - The decline in 1998 dispositions relative to 1997 is largely an artifact of the Court's intensive case-disposition effort last year. For comparison, the 4,151 cases disposed in 1998 represent a 6.5 percent increase relative to 1994 dispositions (3,897).
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Pending

- Similarly, pending caseload is up 6.4 percent from the level achieved during 1997's intensive disposition effort, but has remained at a level below those for 1996 and prior years.
- Statewide, 4,531 Court of Appeals cases were pending at the end of 1998. Over half were awaiting parties' briefs. A total of 253 (5.6 percent) were set for oral argument, and opinions or

orders were in process for 450 (9.9 percent) of the pending cases.

Time In Process

- In 1998, the Court of Appeals continued its intensive efforts to accurately measure, monitor, and reduce case processing times.
 - Statewide, 75 percent of criminal appeals received an opinion within 683 days of filing—down from 755 days in 1997.
 - Similarly, 75 percent of civil appeals received an opinion within 645 days—down from the prior year's 722 days.
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Note:

Due to time lag between filing a notice of appeal in trial court and appellate court receipt of the case, current year filings are slightly under-counted (roughly 2 percent). Previous year filings will be recalculated annually to include all cases received late. Although this will provide more accurate statistical reporting, it may cause current year filing totals to vary in future court reports.

Court of Appeals Glossary

This glossary is included to assist in understanding the statistical tables.

Filings

Notice Of Appeal - The filing of an appeal of a trial court final judgment that is reviewable as a matter of right. Notices of appeal must be filed within 30 days of the trial court judgment. Unless otherwise prohibited by statute or court rule, a party may appeal from only trial court decisions as specified in Rules of Appellate Procedure (RAP) 2.2. Notices of appeal are categorized into criminal and civil appeals.

Personal Restraint Petition - The filing of a review to seek relief from limitations on a person's freedom due to current or imminent confinement, or other restrictions imposed by a criminal or civil trial court decision (RAP 16.4).

Discretionary Review - The filing of a review of interlocutory orders of a trial court, made prior to a final determination of the case, concerning whether errors or substantial departure from accepted and usual courses of proceedings occurred in the case. Unless otherwise prohibited by statute or court rule, a party may seek discretionary review of any act of superior court not appealable as a matter of right (RAP 2.3).

Dispositions

The appellate court may reverse, affirm, or modify the decision being reviewed and take any other action as the merits of the case and the interest of justice may require (RAP 12.2). Each review is counted as being disposed as soon as a decision terminating review is filed with the appellate clerk.

Opinions - The statement by the court of the decision reached in regard to a cause argued before it, expounding the law as applied to the case, and detailing the reasons upon which the judgment is based.

Opinions Published - The published written opinion terminating the review.

Opinions Unpublished - TThe unpublished written opinion terminating the review.

Commissioners' Rulings - Rulings by commissioners which terminate review.

Motion On The Merits - Termination of a review due to the granting of a motion on the merits (RAP 18.14).

Other Rulings - Other rulings by commissioners, such as rulings on accelerated review of adult sentences or juvenile offender proceedings or granting a motion to dismiss--Anders (RAP 15.2(h)).

Dismissed - An order issued by the court dismissing the review prior to the point where case merit is determined. The commissioner or clerk may dismiss a review for failure to comply with procedures. The court, on motion of a party, may dismiss a review for want of prosecution, if the review is frivolous, moot or solely for the purpose of delay, or for failure to comply with procedures (RAP 18.9).

Transferred/Certified - The Supreme Court, to promote orderly administration of justice may, on its own initiative or on motion of a party, transfer a case from the Court of Appeals to the Supreme Court ("certified"). A case may be transferred from one division to another within the Court of Appeals (RAP 4.1, 4.2, 4.3, RCW 2.06.030).

Review Not Accepted - Reviews may not be accepted if they do not meet the conditions governing the acceptance of review (RAP 2.2, 2.3, and 16.4).

Other Terminations - An order issued by the court terminating the review before an opinion is rendered. An order to terminate a review would result if, for example, a petitioner decided to withdraw the review.

Pending Cases

Case Stayed - Those cases temporarily arrested or removed from judicial processing by order of the court.

Brief Not Filed - Those cases within the stages of perfection in which no briefs have yet been filed.

Appellant Brief Filed - Those cases within the stages of perfection in which appellant's brief has been filed, but respondent's brief is still awaited.

Respondent Brief Filed - Those cases within the stages of perfection in which both appellant's brief and respondent's brief have been filed, but case has yet to be set on the court calendar for review.

Remanded To Trial Court - Those cases whose jurisdiction have been temporarily returned to the trial court of origination.

Set For Motion On The Merits - Those cases which have progressed to the point at which all briefs were filed and served, and now qualify for setting. Because a motion on the merits has been made, these cases have been set on the Motion On The Merits calendar (RAP 18.14).

Ruling Referred To Panel - Cases which were initially assigned to a commissioner, who has ruled that they should be referred to a panel of judges for a decision.

Set For Oral Argument - Those cases which have progressed to the point at which all briefs were filed and served and have been set for a review.

Opinion/Order In Process - Those cases which have been reviewed by the court but have yet to receive a decision.

Mandated

A review is mandated by the clerk of the Court of Appeals when a written notification, when required, is sent to the trial court and all parties. The notification informs all parties of an appellate court decision terminating the review.

TIME IN PROCESS STATISTICS--Notices Of Appeal

NOTE: The time-in-process model, data entry, and statistical measurement changed substantially in 1998, and are not comparable to stages published in prior years.

Filing - The date the appeal is filed in the trial court.

Statement Of Arrangements - The date of the first occurrence when the Statement Of Arrangements has either been "Received" or "Filed" in the appellate court.

Completion Of Record - The date transcripts and report of proceedings are complete, at which time the due date is set for the appellant's brief.

Appellant's Brief - The date of the last occurrence for the Appellant's Brief to either be "Filed" or "Received." The latter is recorded when the report is returned from the printer. Note: For statistical purposes "Received" is only employed when "Filed" is omitted.

Ready - The date on which the case is ready to go to a panel of judges. A civil case is ready when respondent's brief is filed or, in a cross-appeal, when the cross-respondent's reply brief is filed (or deemed not filed). A criminal case is ready when respondent's brief is filed and no notice of intent to file supplemental briefs has been filed. When a notice of intent is filed, the case is ready when the pro se supplemental brief is filed or when 60 days has expired.

Opinion - The date of the last occurrence of the filing of the opinion.

The Court Of Appeals
Court Activity, All Divisions, 1998

	-----Appeals-----			-----Other Reviews-----			All Reviews
	Criminal	Civil	Total	Personal Restraint	Discr Review	Total	
FILINGS							
New Filings	1,816	1,503	3,319	575	439	1,014	4,333
Transfers	6	46	52	28	3	31	83
Total Filings	1,822	1,549	3,371	603	442	1,045	4,416
DISPOSITIONS							
Opinions Published	139	231	370	12	30	42	412
Opinions Unpublished	843	449	1,292	24	35	59	1,351
Opinions	982	680	1,662	36	65	101	1,763
Motion On The Merits	336	165	501	1	0	1	502
Other Rulings	171	29	200	1	0	1	201
Commissioners' Rulings	507	194	701	2	0	2	703
Dismissed	209	562	771	468	103	571	1,342
Transferred/Certified ¹	2	12	14	3	2	5	19
Review Not Accepted	2	14	16	0	261	261	277
Other Terminations	7	3	10	4	33	37	47
Total Disposed	1,709	1,465	3,174	513	464	977	4,151
PENDING AT YEAR END							
Cases Stayed	17	28	45	9	8	17	62
Brief Not Filed	1,004	730	1,734	244	132	376	2,110
Appellant Brief Filed	397	180	577	0	17	17	594
Respondent Brief Filed	677	264	941	1	13	14	955
Remanded To Trial Court	9	3	12	2	1	3	15
Set For Motion On The Merits	42	6	48	0	1	1	49
Ruling Referred To Panel	27	9	36	2	5	7	43
Set For Oral Argument ²	88	153	241	5	7	12	253
Total Awaiting Hearing	2,261	1,373	3,634	263	184	447	4,081
Opinion/Order In Process	168	250	418	12	20	32	450
Total Pending Decision	2,429	1,623	4,052	275	204	479	4,531
MANDATED							
Opinions	1,041	709	1,750	46	76	122	1,872
Commissioners' Rulings	560	196	756	3	0	3	759
Other	216	603	819	433	380	813	1,632
Total Mandated	1,817	1,508	3,325	482	456	938	4,263

1 Includes both matters transferred to other divisions and those certified to the Supreme Court.

2 Set For Oral Argument counts are influenced by procedural differences among divisions in setting cases. Division III, due to hearings in multiple locations, often delays the setting of cases until there are sufficient numbers to warrant travel, but cases are usually set only six weeks out.

The Court Of Appeals
Court Activity, Division I, 1998

	-----Appeals-----			-----Other Reviews-----			All Reviews
	Criminal	Civil	Total	Personal Restraint	Discr Review	Total	
FILINGS							
New Filings	819	717	1,536	231	210	441	1,977
Transfers	2	22	24	18	2	20	44
Total Filings	821	739	1,560	249	212	461	2,021
DISPOSITIONS							
Opinions Published	59	107	166	6	16	22	188
Opinions Unpublished	508	205	713	17	9	26	739
Opinions	567	312	879	23	25	48	927
Motion On The Merits	158	58	216	0	0	0	216
Other Rulings	37	18	55	0	0	0	55
Commissioners' Rulings	195	76	271	0	0	0	271
Dismissed	91	318	409	183	37	220	629
Transferred/Certified ¹	1	8	9	0	0	0	9
Review Not Accepted	0	2	2	0	124	124	126
Other Terminations	6	1	7	0	32	32	39
Total Disposed	860	717	1,577	206	218	424	2,001
PENDING AT YEAR END							
Cases Stayed	9	15	24	7	6	13	37
Brief Not Filed	422	330	752	110	50	160	912
Appellant Brief Filed	168	82	250	0	7	7	257
Respondent Brief Filed	284	108	392	1	4	5	397
Remanded To Trial Court	4	0	4	0	0	0	4
Set For Motion On The Merits	7	0	7	0	0	0	7
Ruling Referred To Panel	18	9	27	2	3	5	32
Set For Oral Argument	31	89	120	2	3	5	125
Total Awaiting Hearing	943	633	1,576	122	73	195	1,771
Opinion/Order In Process	89	131	220	5	5	10	230
Total Pending Decision	1,032	764	1,796	127	78	205	2,001
MANDATED							
Opinions	575	336	911	30	26	56	967
Commissioners' Rulings	239	90	329	0	0	0	329
Other	94	338	432	164	195	359	791
Total Mandated	908	764	1,672	194	221	415	2,087

1 Includes both matters transferred to other divisions and those certified to the Supreme Court.

The Court Of Appeals
Court Activity, Division II, 1998

	-----Appeals-----			-----Other Reviews-----			All Reviews
	Criminal	Civil	Total	Personal Restraint	Discr Review	Total	
FILINGS							
New Filings	594	460	1,054	197	130	327	1,381
Transfers	4	19	23	7	0	7	30
Total Filings	598	479	1,077	204	130	334	1,411
DISPOSITIONS							
Opinions Published	51	88	139	1	7	8	147
Opinions Unpublished	202	157	359	3	10	13	372
Opinions	253	245	498	4	17	21	519
Motion On The Merits	105	80	185	0	0	0	185
Other Rulings	78	3	81	0	0	0	81
Commissioners' Rulings	183	83	266	0	0	0	266
Dismissed	65	146	211	176	30	206	417
Transferred/Certified ¹	0	2	2	0	2	2	4
Review Not Accepted	1	3	4	0	78	78	82
Other Terminations	1	2	3	1	1	2	5
Total Disposed	503	481	984	181	128	309	1,293
PENDING AT YEAR END							
Cases Stayed	1	8	9	0	0	0	9
Brief Not Filed	364	227	591	81	49	130	721
Appellant Brief Filed	118	63	181	0	4	4	185
Respondent Brief Filed	255	88	343	0	3	3	346
Remanded To Trial Court	2	0	2	0	0	0	2
Set For Motion On The Merits	4	2	6	0	0	0	6
Ruling Referred To Panel	9	0	9	0	2	2	11
Set For Oral Argument	50	53	103	3	2	5	108
Total Awaiting Hearing	803	441	1,244	84	60	144	1,388
Opinion/Order In Process	28	52	80	2	3	5	85
Total Pending Decision	831	493	1,324	86	63	149	1,473
MANDATED							
Opinions	291	210	501	1	20	21	522
Commissioners' Rulings	205	74	279	0	0	0	279
Other	69	160	229	168	102	270	499
Total Mandated	565	444	1,009	169	122	291	1,300

1 Includes both matters transferred to other divisions and those certified to the Supreme Court.

The Court Of Appeals
Court Activity, Division III, 1998

	-----Appeals-----			-----Other Reviews-----			All Reviews
	Criminal	Civil	Total	Personal Restraint	Discr Review	Total	
FILINGS							
New Filings	403	326	729	147	99	246	975
Transfers	0	5	5	3	1	4	9
Total Filings	403	331	734	150	100	250	984
DISPOSITIONS							
Opinions Published	29	36	65	5	7	12	77
Opinions Unpublished	133	87	220	4	16	20	240
Opinions	162	123	285	9	23	32	317
Motion On The Merits	73	27	100	1	0	1	101
Other Rulings	56	8	64	1	0	1	65
Commissioners' Rulings	129	35	164	2	0	2	166
Dismissed	53	98	151	109	36	145	296
Transferred/Certified ¹	1	2	3	3	0	3	6
Review Not Accepted	1	9	10	0	59	59	69
Other Terminations	0	0	0	3	0	3	3
Total Disposed	346	267	613	126	118	244	857
PENDING AT YEAR END							
Cases Stayed	7	5	12	2	2	4	16
Brief Not Filed	218	173	391	53	33	86	477
Appellant Brief Filed	111	35	146	0	6	6	152
Respondent Brief Filed	138	68	206	0	6	6	212
Remanded To Trial Court	3	3	6	2	1	3	9
Set For Motion On The Merits	31	4	35	0	1	1	36
Ruling Referred To Panel	0	0	0	0	0	0	0
Set For Oral Argument ²	7	11	18	0	2	2	20
Total Awaiting Hearing	515	299	814	57	51	108	922
Opinion/Order In Process	51	67	118	5	12	17	135
Total Pending Decision	566	366	932	62	63	125	1,057
MANDATED							
Opinions	175	163	338	15	30	45	383
Commissioners' Rulings	116	32	148	3	0	3	151
Other	53	105	158	101	83	184	342
Total Mandated	344	300	644	119	113	232	876

1 Includes both matters transferred to other divisions and those certified to the Supreme Court.

2 Set For Oral Argument counts are influenced by procedural differences among divisions in setting cases. Division III, due to hearings in multiple locations, often delays the setting of cases until there are sufficient numbers to warrant travel, but cases are usually set only six weeks out.

**The Court of Appeals
History of Filings, 1994-1998**

	1994	1995	% Chg	1996	% Chg	1997	% Chg	1998	% Chg
DIVISION I									
Criminal Appeals	884	912	3.2%	853	-6.5%	801	-6.1%	821	2.5%
Civil Appeals	665	702	5.6%	675	-3.8%	735	8.9%	739	0.5%
Total Appeals	1,549	1,614	4.2%	1,528	-5.3%	1,536	0.5%	1,560	1.6%
Personal Restraint Petitions	177	210	18.6%	246	17.1%	209	-15.0%	249	19.1%
Notices Of Discretionary Review	213	240	12.7%	220	-8.3%	207	-5.9%	212	2.4%
Total Filings, Division I	1,939	2,064	6.4%	1,994	-3.4%	1,952	-2.1%	2,021	3.5%
DIVISION II									
Criminal Appeals	562	591	5.2%	560	-5.2%	586	4.6%	598	2.0%
Civil Appeals	362	364	0.6%	374	2.7%	429	14.7%	479	11.7%
Total Appeals	924	955	3.4%	934	-2.2%	1,015	8.7%	1,077	6.1%
Personal Restraint Petitions	140	141	0.7%	206	46.1%	151	-26.7%	204	35.1%
Notices Of Discretionary Review	89	107	20.2%	145	35.5%	118	-18.6%	130	10.2%
Total Filings, Division II	1,153	1,203	4.3%	1,285	6.8%	1,284	-0.1%	1,411	9.9%
DIVISION III									
Criminal Appeals	307	342	11.4%	340	-0.6%	337	-0.9%	403	19.6%
Civil Appeals	320	288	-10.0%	326	13.2%	288	-11.7%	331	14.9%
Total Appeals	627	630	0.5%	666	5.7%	625	-6.2%	734	17.4%
Personal Restraint Petitions	84	114	35.7%	96	-15.8%	85	-11.5%	150	76.5%
Notices Of Discretionary Review	108	108	0.0%	142	31.5%	106	-25.4%	100	-5.7%
Total Filings, Division III	819	852	4.0%	904	6.1%	816	-9.7%	984	20.6%
COURT OF APPEALS, TOTAL									
Criminal Appeals	1,753	1,845	5.2%	1,753	-5.0%	1,724	-1.7%	1,822	5.7%
Civil Appeals	1,347	1,354	0.5%	1,375	1.6%	1,452	5.6%	1,549	6.7%
Total Appeals	3,100	3,199	3.2%	3,128	-2.2%	3,176	1.5%	3,371	6.1%
Personal Restraint Petitions	401	465	16.0%	548	17.8%	445	-18.8%	603	35.5%
Notices Of Discretionary Review	410	455	11.0%	507	11.4%	431	-15.0%	442	2.6%
Total Filings, Court Of Appeals	3,911	4,119	5.3%	4,183	1.6%	4,052	-3.1%	4,416	9.0%

**The Court of Appeals
History of Dispositions, 1994-1998**

	1994	1995	% Chg	1996	% Chg	1997	% Chg	1998	% Chg
DIVISION I									
Criminal Appeals	934	1,014	8.6%	886	-12.6%	1,077	21.6%	860	-20.1%
Civil Appeals	633	623	-1.6%	641	2.9%	807	25.9%	717	-11.2%
Total Appeals	1,567	1,637	4.5%	1,527	-6.7%	1,884	23.4%	1,577	-16.3%
Personal Restraint Petitions	172	172	0.0%	254	47.7%	242	-4.7%	206	-14.9%
Notices Of Discretionary Review	205	210	2.4%	197	-6.2%	237	20.3%	218	-8.0%
Total Dispositions, Division I	1,944	2,019	3.9%	1,978	-2.0%	2,363	19.5%	2,001	-15.3%
DIVISION II									
Criminal Appeals	573	502	-12.4%	548	9.2%	758	38.3%	503	-33.6%
Civil Appeals	357	376	5.3%	446	18.6%	432	-3.1%	481	11.3%
Total Appeals	930	878	-5.6%	994	13.2%	1,190	19.7%	984	-17.3%
Personal Restraint Petitions	207	130	-37.2%	211	62.3%	141	-33.2%	181	28.4%
Notices Of Discretionary Review	75	79	5.3%	140	77.2%	141	0.7%	128	-9.2%
Total Dispositions, Division II	1,212	1,087	-10.3%	1,345	23.7%	1,472	9.4%	1,293	-12.2%
DIVISION III									
Criminal Appeals	289	305	5.5%	299	-2.0%	417	39.5%	346	-17.0%
Civil Appeals	285	312	9.5%	337	8.0%	377	11.9%	267	-29.2%
Total Appeals	574	617	7.5%	636	3.1%	794	24.8%	613	-22.8%
Personal Restraint Petitions	79	110	39.2%	100	-9.1%	102	2.0%	126	23.5%
Notices Of Discretionary Review	88	94	6.8%	124	31.9%	121	-2.4%	118	-2.5%
Total Dispositions, Division III	741	821	10.8%	860	4.8%	1,017	18.3%	857	-15.7%
COURT OF APPEALS, TOTAL									
Criminal Appeals	1,796	1,821	1.4%	1,733	-4.8%	2,252	29.9%	1,709	-24.1%
Civil Appeals	1,275	1,311	2.8%	1,424	8.6%	1,616	13.5%	1,465	-9.3%
Total Appeals	3,071	3,132	2.0%	3,157	0.8%	3,868	22.5%	3,174	-17.9%
Personal Restraint Petitions	458	412	-10.0%	565	37.1%	485	-14.2%	513	5.8%
Notices Of Discretionary Review	368	383	4.1%	461	20.4%	499	8.2%	464	-7.0%
Total Dispositions, Court of Appeals	3,897	3,927	0.8%	4,183	6.5%	4,852	16.0%	4,151	-14.4%

**The Court of Appeals
History of Pending Cases, 1994-1998**

	1994	1995	% Chg	1996	% Chg	1997	% Chg	1998	% Chg
DIVISION I									
Criminal Appeals	1,479	1,383	-6.5%	1,346	-2.7%	1,065	-20.9%	1,032	-3.1%
Civil Appeals	700	777	11.0%	809	4.1%	740	-8.5%	764	3.2%
Total Appeals	2,179	2,160	-0.9%	2,155	-0.2%	1,805	-16.2%	1,796	-0.5%
Personal Restraint Petitions	89	126	41.6%	118	-6.3%	83	-29.7%	127	53.0%
Notices Of Discretionary Review	55	93	69.1%	112	20.4%	84	-25.0%	78	-7.1%
Total Pending, Division I	2,323	2,379	2.4%	2,385	0.3%	1,972	-17.3%	2,001	1.5%
DIVISION II									
Criminal Appeals	806	894	10.9%	906	1.3%	734	-19.0%	831	13.2%
Civil Appeals	586	575	-1.9%	499	-13.2%	498	-0.2%	493	-1.0%
Total Appeals	1,392	1,469	5.5%	1,405	-4.4%	1,232	-12.3%	1,324	7.5%
Personal Restraint Petitions	50	57	14.0%	52	-8.8%	61	17.3%	86	41.0%
Notices Of Discretionary Review	52	79	51.9%	84	6.3%	63	-25.0%	63	0.0%
Total Pending, Division II	1,494	1,605	7.4%	1,541	-4.0%	1,356	-12.0%	1,473	8.6%
DIVISION III									
Criminal Appeals	508	547	7.7%	581	6.2%	498	-14.3%	566	13.7%
Civil Appeals	420	396	-5.7%	403	1.8%	313	-22.3%	366	16.9%
Total Appeals	928	943	1.6%	984	4.3%	811	-17.6%	932	14.9%
Personal Restraint Petitions	54	58	7.4%	54	-6.9%	38	-29.6%	62	63.2%
Notices Of Discretionary Review	68	77	13.2%	96	24.7%	81	-15.6%	63	-22.2%
Total Pending, Division III	1,050	1,078	2.7%	1,134	5.2%	930	-18.0%	1,057	13.7%
COURT OF APPEALS, TOTAL									
Criminal Appeals	2,793	2,824	1.1%	2,833	0.3%	2,297	-18.9%	2,429	5.7%
Civil Appeals	1,706	1,748	2.5%	1,711	-2.1%	1,551	-9.4%	1,623	4.6%
Total Appeals	4,499	4,572	1.6%	4,544	-0.6%	3,848	-15.3%	4,052	5.3%
Personal Restraint Petitions	193	241	24.9%	224	-7.1%	182	-18.8%	275	51.1%
Notices Of Discretionary Review	175	249	42.3%	292	17.3%	228	-21.9%	204	-10.5%
Total Pending, Court of Appeals	4,867	5,062	4.0%	5,060	0.0%	4,258	-15.8%	4,531	6.4%

The Court of Appeals

History of Activity, All Reviews, All Divisions, 1994-1998

	1994	1995	% Chg	1996	% Chg	1997	% Chg	1998	% Chg
FILINGS									
New Filings	3,846	4,034	4.9%	4,095	1.5%	3,994	-2.5%	4,333	8.5%
Transfers	65	85	30.8%	88	3.5%	58	-34.1%	83	43.1%
Total Filings	3,911	4,119	5.3%	4,183	1.6%	4,052	-3.1%	4,416	9.0%
DISPOSITIONS									
Opinions Published	471	453	-3.8%	416	-8.2%	512	23.1%	412	-19.5%
Opinions Unpublished	1,122	1,264	12.7%	1,368	8.2%	1,872	36.8%	1,351	-27.8%
Opinions	1,593	1,717	7.8%	1,784	3.9%	2,384	33.6%	1,763	-26.0%
Motion On The Merits	557	570	2.3%	529	-7.2%	596	12.7%	502	-15.8%
Other Rulings	157	165	5.1%	158	-4.2%	206	30.4%	201	-2.4%
Commissioners' Rulings	714	735	2.9%	687	-6.5%	802	16.7%	703	-12.3%
Dismissed	1,237	1,114	-9.9%	1,262	13.3%	1,282	1.6%	1,342	4.7%
Transferred/Certified ¹	32	40	25.0%	38	-5.0%	19	. %	19	. %
Review Not Accepted	263	267	1.5%	350	31.1%	305	-12.9%	277	-9.2%
Other Terminations	58	54	-6.9%	62	14.8%	60	-3.2%	47	-21.7%
Total Disposed	3,897	3,927	0.8%	4,183	6.5%	4,852	16.0%	4,151	-14.4%
PENDING AT YEAR END									
Case Stayed	54	137	153.7%	119	-13.1%	63	-47.1%	62	-1.6%
Brief Not Filed	2,287	2,191	-4.2%	2,157	-1.6%	1,956	-9.3%	2,110	7.9%
Appellant Brief Filed	588	665	13.1%	614	-7.7%	592	-3.6%	594	0.3%
Respondent Brief Filed	895	1,055	17.9%	969	-8.2%	1,017	5.0%	955	-6.1%
Remanded To Trial Court	4	2	. %	24	. %	27	. %	15	. %
Set For Motion On The Merits	239	156	-34.7%	160	2.6%	26	. %	49	. %
Ruling Referred To Panel	56	157	180.4%	250	59.2%	61	-75.6%	43	-29.5%
Set For Oral Argument ²	451	403	-10.6%	454	12.7%	292	-35.7%	253	-13.4%
Total Awaiting Hearing	4,574	4,766	4.2%	4,747	-0.4%	4,034	-15.0%	4,081	1.2%
Opinion/Order In Process	293	296	1.0%	313	5.7%	224	-28.4%	450	100.9%
Total Pending Decision	4,867	5,062	4.0%	5,060	0.0%	4,258	-15.8%	4,531	6.4%
MANDATED									
Opinions	1,625	1,617	-0.5%	1,699	5.1%	2,213	30.3%	1,872	-15.4%
Commissioners' Rulings	646	687	6.3%	723	5.2%	755	4.4%	759	0.5%
Other	1,687	1,481	-12.2%	1,519	2.6%	1,767	16.3%	1,632	-7.6%
Total Mandated	3,958	3,785	-4.4%	3,941	4.1%	4,735	20.1%	4,263	-10.0%

1 Includes both matters transferred to other divisions and those certified to the Supreme Court.

2 Set For Oral Argument counts are influenced by procedural differences among divisions in setting cases.

Division III, due to hearings in multiple locations, often delays the setting of cases until there are sufficient numbers to warrant travel, but cases are usually set only six weeks out.

The Court of Appeals
History of Activity, All Reviews, Division I, 1994-1998

	1994	1995	% Chg	1996	% Chg	1997	% Chg	1998	% Chg
FILINGS									
New Filings	1,908	2,025	6.1%	1,960	-3.2%	1,921	-2.0%	1,977	2.9%
Transfers	31	39	25.8%	34	-12.8%	31	-8.8%	44	41.9%
Total Filings	1,939	2,064	6.4%	1,994	-3.4%	1,952	-2.1%	2,021	3.5%
DISPOSITIONS									
Opinions Published	228	197	-13.6%	169	-14.2%	231	36.7%	188	-18.6%
Opinions Unpublished	602	730	21.3%	734	0.5%	950	29.4%	739	-22.2%
Opinions	830	927	11.7%	903	-2.6%	1,181	30.8%	927	-21.5%
Motion On The Merits	277	317	14.4%	269	-15.1%	338	25.7%	216	-36.1%
Other Rulings	28	51	. %	36	-29.4%	51	41.7%	55	7.8%
Commissioners' Rulings	305	368	20.7%	305	-17.1%	389	27.5%	271	-30.3%
Dismissed	612	516	-15.7%	580	12.4%	598	3.1%	629	5.2%
Transferred/Certified ¹	9	18	. %	11	. %	8	. %	9	. %
Review Not Accepted	147	151	2.7%	141	-6.6%	145	2.8%	126	-13.1%
Other Terminations	41	39	-4.9%	38	-2.6%	42	10.5%	39	-7.1%
Total Disposed	1,944	2,019	3.9%	1,978	-2.0%	2,363	19.5%	2,001	-15.3%
PENDING AT YEAR END									
Case Stayed	30	100	233.3%	79	-21.0%	41	-48.1%	37	-9.8%
Brief Not Filed	1,151	981	-14.8%	995	1.4%	940	-5.5%	912	-3.0%
Appellant Brief Filed	315	333	5.7%	259	-22.2%	252	-2.7%	257	2.0%
Respondent Brief Filed	250	362	44.8%	325	-10.2%	494	52.0%	397	-19.6%
Remanded To Trial Court	1	1	. %	8	. %	8	. %	4	. %
Set For Motion On The Merits	129	85	-34.1%	93	9.4%	1	. %	7	. %
Ruling Referred To Panel	47	155	229.8%	249	60.6%	61	-75.5%	32	-47.5%
Set For Oral Argument	230	217	-5.7%	208	-4.1%	74	-64.4%	125	68.9%
Total Awaiting Hearing	2,153	2,234	3.8%	2,216	-0.8%	1,871	-15.6%	1,771	-5.3%
Opinion/Order In Process	170	145	-14.7%	169	16.6%	101	-40.2%	230	127.7%
Total Pending Decision	2,323	2,379	2.4%	2,385	0.3%	1,972	-17.3%	2,001	1.5%
MANDATED									
Opinions	835	884	5.9%	874	-1.1%	1,070	22.4%	967	-9.6%
Commissioners' Rulings	293	346	18.1%	351	1.4%	304	-13.4%	329	8.2%
Other	881	711	-19.3%	774	8.9%	718	-7.2%	791	10.2%
Total Mandated	2,009	1,941	-3.4%	1,999	3.0%	2,092	4.7%	2,087	-0.2%

1 Includes both matters transferred to other divisions and those certified to the Supreme Court.

The Court of Appeals
History of Activity, All Reviews, Division II, 1994-1998

	1994	1995	% Chg	1996	% Chg	1997	% Chg	1998	% Chg
FILINGS									
New Filings	1,133	1,168	3.1%	1,259	7.8%	1,265	0.5%	1,381	9.2%
Transfers	20	35	. %	26	. %	19	. %	30	. %
Total Filings	1,153	1,203	4.3%	1,285	6.8%	1,284	-0.1%	1,411	9.9%
DISPOSITIONS									
Opinions Published	109	113	3.7%	148	31.0%	128	-13.5%	147	14.8%
Opinions Unpublished	308	302	-1.9%	410	35.8%	581	41.7%	372	-36.0%
Opinions	417	415	-0.5%	558	34.5%	709	27.1%	519	-26.8%
Motion On The Merits	222	197	-11.3%	170	-13.7%	154	-9.4%	185	20.1%
Other Rulings	76	62	-18.4%	58	-6.5%	93	60.3%	81	-12.9%
Commissioners' Rulings	298	259	-13.1%	228	-12.0%	247	8.3%	266	7.7%
Dismissed	411	326	-20.7%	442	35.6%	413	-6.6%	417	1.0%
Transferred/Certified ¹	17	10	. %	24	. %	3	. %	4	. %
Review Not Accepted	56	63	12.5%	73	15.9%	89	21.9%	82	-7.9%
Other Terminations	13	14	. %	20	. %	11	. %	5	. %
Total Disposed	1,212	1,087	-10.3%	1,345	23.7%	1,472	9.4%	1,293	-12.2%
PENDING AT YEAR END									
Case Stayed	4	16	. %	12	. %	4	. %	9	. %
Brief Not Filed	634	695	9.6%	673	-3.2%	618	-8.2%	721	16.7%
Appellant Brief Filed	156	204	30.8%	211	3.4%	179	-15.2%	185	3.4%
Respondent Brief Filed	443	412	-7.0%	434	5.3%	337	-22.4%	346	2.7%
Remanded To Trial Court	0	1	. %	0	. %	2	. %	2	. %
Set For Motion On The Merits	39	3	. %	2	. %	0	. %	6	. %
Ruling Referred To Panel	9	2	. %	1	. %	0	. %	11	. %
Set For Oral Argument	137	150	9.5%	150	0.0%	142	-5.3%	108	-23.9%
Total Awaiting Hearing	1,422	1,483	4.3%	1,483	0.0%	1,282	-13.6%	1,388	8.3%
Opinion/Order In Process	72	122	69.4%	58	-52.5%	74	27.6%	85	14.9%
Total Pending Decision	1,494	1,605	7.4%	1,541	-4.0%	1,356	-12.0%	1,473	8.6%
MANDATED									
Opinions	457	356	-22.1%	488	37.1%	724	48.4%	522	-27.9%
Commissioners' Rulings	243	234	-3.7%	242	3.4%	278	14.9%	279	0.4%
Other	500	437	-12.6%	431	-1.4%	616	42.9%	499	-19.0%
Total Mandated	1,200	1,027	-14.4%	1,161	13.0%	1,618	39.4%	1,300	-19.7%

¹ Includes both matters transferred to other divisions and those certified to the Supreme Court.

The Court of Appeals
History of Activity, All Reviews, Division III, 1994-1998

	1994	1995	% Chg	1996	% Chg	1997	% Chg	1998	% Chg
FILINGS									
New Filings	805	841	4.5%	876	4.2%	808	-7.8%	975	20.7%
Transfers	14	11	. %	28	. %	8	. %	9	. %
Total Filings	819	852	4.0%	904	6.1%	816	-9.7%	984	20.6%
DISPOSITIONS									
Opinions Published	134	143	6.7%	99	-30.8%	153	54.5%	77	-49.7%
Opinions Unpublished	212	232	9.4%	224	-3.4%	341	52.2%	240	-29.6%
Opinions	346	375	8.4%	323	-13.9%	494	52.9%	317	-35.8%
Motion On The Merits	58	56	-3.4%	90	60.7%	104	15.6%	101	-2.9%
Other Rulings	53	52	-1.9%	64	23.1%	62	-3.1%	65	4.8%
Commissioners' Rulings	111	108	-2.7%	154	42.6%	166	7.8%	166	0.0%
Dismissed	214	272	27.1%	240	-11.8%	271	12.9%	296	9.2%
Transferred/Certified ¹	6	12	. %	3	. %	8	. %	6	. %
Review Not Accepted	60	53	-11.7%	136	156.6%	71	-47.8%	69	-2.8%
Other Terminations	4	1	. %	4	. %	7	. %	3	. %
Total Disposed	741	821	10.8%	860	4.8%	1,017	18.3%	857	-15.7%
PENDING AT YEAR END									
Case Stayed	20	21	. %	28	. %	18	. %	16	. %
Brief Not Filed	502	515	2.6%	489	-5.0%	398	-18.6%	477	19.8%
Appellant Brief Filed	117	128	9.4%	144	12.5%	161	11.8%	152	-5.6%
Respondent Brief Filed	202	281	39.1%	210	-25.3%	186	-11.4%	212	14.0%
Remanded To Trial Court	3	0	. %	16	. %	17	. %	9	. %
Set For Motion On The Merits	71	68	-4.2%	65	-4.4%	25	. %	36	. %
Ruling Referred To Panel	0	0	. %	0	. %	0	. %	0	. %
Set For Oral Argument ²	84	36	-57.1%	96	166.7%	76	-20.8%	20	. %
Total Awaiting Hearing	999	1,049	5.0%	1,048	-0.1%	881	-15.9%	922	4.7%
Opinion/Order In Process	51	29	. %	86	. %	49	-43.0%	135	175.5%
Total Pending Decision	1,050	1,078	2.7%	1,134	5.2%	930	-18.0%	1,057	13.7%
MANDATED									
Opinions	333	377	13.2%	337	-10.6%	419	24.3%	383	-8.6%
Commissioners' Rulings	110	107	-2.7%	130	21.5%	173	33.1%	151	-12.7%
Other	306	333	8.8%	314	-5.7%	433	37.9%	342	-21.0%
Total Mandated	749	817	9.1%	781	-4.4%	1,025	31.2%	876	-14.5%

1 Includes both matters transferred to other divisions and those certified to the Supreme Court.

2 Set For Oral Argument counts are influenced by procedural differences among divisions in setting cases. Division III, due to hearings in multiple locations, often delays the setting of cases until there are sufficient numbers to warrant travel, but cases are usually set only six weeks out.

The Court of Appeals
 Court Activity, All Divisions, Criminal Appeals, 1994-1998

	1994	1995	% Chg	1996	% Chg	1997	% Chg	1998	% Chg
FILINGS									
New Filings	1,747	1,843	5.5%	1,748	-5.2%	1,721	-1.5%	1,816	5.5%
Transfers	6	2	. %	5	. %	3	. %	6	. %
Total Filings	1,753	1,845	5.2%	1,753	-5.0%	1,724	-1.7%	1,822	5.7%
DISPOSITIONS									
Opinions Published	218	194	-11.0%	147	-24.2%	178	21.1%	139	-21.9%
Opinions Unpublished	693	790	14.0%	822	4.1%	1,188	44.5%	843	-29.0%
Opinions	911	984	8.0%	969	-1.5%	1,366	41.0%	982	-28.1%
Motion On The Merits	424	439	3.5%	390	-11.2%	439	12.6%	336	-23.5%
Other Rulings	156	164	5.1%	154	-6.1%	202	31.2%	171	-15.3%
Commissioners' Rulings	580	603	4.0%	544	-9.8%	641	17.8%	507	-20.9%
Dismissed	289	222	-23.2%	208	-6.3%	235	13.0%	209	-11.1%
Transferred/Certified ¹	9	9	. %	3	. %	2	. %	2	. %
Review Not Accepted	2	1	. %	6	. %	3	. %	2	. %
Other Terminations	5	2	. %	3	. %	5	. %	7	. %
Total Disposed	1,796	1,821	1.4%	1,733	-4.8%	2,252	29.9%	1,709	-24.1%
PENDING AT YEAR END									
Case Stayed	7	50	. %	55	10.0%	19	. %	17	. %
Brief Not Filed	1,278	1,143	-10.6%	1,106	-3.2%	950	-14.1%	1,004	5.7%
Appellant Brief Filed	426	457	7.3%	419	-8.3%	407	-2.9%	397	-2.5%
Respondent Brief Filed	482	613	27.2%	605	-1.3%	624	3.1%	677	8.5%
Remanded To Trial Court	2	2	. %	9	. %	12	. %	9	. %
Set For Motion On The Merits	181	103	-43.1%	124	20.4%	20	. %	42	. %
Ruling Referred To Panel	42	130	209.5%	202	55.4%	42	-79.2%	27	. %
Set For Oral Argument	225	160	-28.9%	187	16.9%	133	-28.9%	88	-33.8%
Total Awaiting Hearing	2,643	2,658	0.6%	2,707	1.8%	2,207	-18.5%	2,261	2.4%
Opinion/Order In Process	150	166	10.7%	126	-24.1%	90	-28.6%	168	86.7%
Total Pending Decision	2,793	2,824	1.1%	2,833	0.3%	2,297	-18.9%	2,429	5.7%
MANDATED									
Opinions	895	925	3.4%	960	3.8%	1,276	32.9%	1,041	-18.4%
Commissioners' Rulings	509	571	12.2%	581	1.8%	615	5.9%	560	-8.9%
Other	328	243	-25.9%	207	-14.8%	259	25.1%	216	-16.6%
Total Mandated	1,732	1,739	0.4%	1,748	0.5%	2,150	23.0%	1,817	-15.5%

¹ Includes both matters transferred to other divisions and those certified to the Supreme Court.

The Court of Appeals
 Court Activity, All Divisions, Civil Appeals, 1994-1998

	1994	1995	% Chg	1996	% Chg	1997	% Chg	1998	% Chg
FILINGS									
New Filings	1,314	1,317	0.2%	1,345	2.1%	1,429	6.2%	1,503	5.2%
Transfers	33	37	12.1%	30	-18.9%	23	. %	46	. %
Total Filings	1,347	1,354	0.5%	1,375	1.6%	1,452	5.6%	1,549	6.7%
DISPOSITIONS									
Opinions Published	229	225	-1.7%	228	1.3%	287	25.9%	231	-19.5%
Opinions Unpublished	387	424	9.6%	475	12.0%	586	23.4%	449	-23.4%
Opinions	616	649	5.4%	703	8.3%	873	24.2%	680	-22.1%
Motion On The Merits	129	125	-3.1%	136	8.8%	153	12.5%	165	7.8%
Other Rulings	0	0	. %	1	. %	2	. %	29	. %
Commissioners' Rulings	129	125	-3.1%	137	9.6%	155	13.1%	194	25.2%
Dismissed	494	496	0.4%	487	-1.8%	557	14.4%	562	0.9%
Transferred/Certified ¹	20	20	. %	13	. %	11	. %	12	. %
Review Not Accepted	12	15	. %	79	. %	14	. %	14	. %
Other Terminations	4	6	. %	5	. %	6	. %	3	. %
Total Disposed	1,275	1,311	2.8%	1,424	8.6%	1,616	13.5%	1,465	-9.3%
PENDING AT YEAR END									
Case Stayed	43	43	0.0%	36	-16.3%	29	. %	28	. %
Brief Not Filed	709	691	-2.5%	670	-3.0%	693	3.4%	730	5.3%
Appellant Brief Filed	153	198	29.4%	173	-12.6%	174	0.6%	180	3.4%
Respondent Brief Filed	397	414	4.3%	340	-17.9%	366	7.6%	264	-27.9%
Remanded To Trial Court	0	0	. %	15	. %	14	. %	3	. %
Set For Motion On The Merits	53	49	-7.5%	34	-30.6%	6	. %	6	. %
Ruling Referred To Panel	12	17	. %	35	. %	17	. %	9	. %
Set For Oral Argument	207	227	9.7%	246	8.4%	134	-45.5%	153	14.2%
Total Awaiting Hearing	1,574	1,639	4.1%	1,549	-5.5%	1,433	-7.5%	1,373	-4.2%
Opinion/Order In Process	132	109	-17.4%	162	48.6%	118	-27.2%	250	111.9%
Total Pending Decision	1,706	1,748	2.5%	1,711	-2.1%	1,551	-9.4%	1,623	4.6%
MANDATED									
Opinions	664	614	-7.5%	644	4.9%	814	26.4%	709	-12.9%
Commissioners' Rulings	132	112	-15.2%	132	17.9%	135	2.3%	196	45.2%
Other	581	523	-10.0%	529	1.1%	628	18.7%	603	-4.0%
Total Mandated	1,377	1,249	-9.3%	1,305	4.5%	1,577	20.8%	1,508	-4.4%

1 Includes both matters transferred to other divisions and those certified to the Supreme Court.

The Court of Appeals
 Court Activity, All Divisions, Total Appeals, 1994-1998

	1994	1995	% Chg	1996	% Chg	1997	% Chg	1998	% Chg
FILINGS									
New Filings	3,061	3,160	3.2%	3,093	-2.1%	3,150	1.8%	3,319	5.4%
Transfers	39	39	0.0%	35	-10.3%	26	. %	52	. %
Total Filings	3,100	3,199	3.2%	3,128	-2.2%	3,176	1.5%	3,371	6.1%
DISPOSITIONS									
Opinions Published	447	419	-6.3%	375	-10.5%	465	24.0%	370	-20.4%
Opinions Unpublished	1,080	1,214	12.4%	1,297	6.8%	1,774	36.8%	1,292	-27.2%
Opinions	1,527	1,633	6.9%	1,672	2.4%	2,239	33.9%	1,662	-25.8%
Motion On The Merits	553	564	2.0%	526	-6.7%	592	12.5%	501	-15.4%
Other Rulings	156	164	5.1%	155	-5.5%	204	31.6%	200	-2.0%
Commissioners' Rulings	709	728	2.7%	681	-6.5%	796	16.9%	701	-11.9%
Dismissed	783	718	-8.3%	695	-3.2%	792	14.0%	771	-2.7%
Transferred/Certified ¹	29	29	. %	16	. %	13	. %	14	. %
Review Not Accepted	14	16	. %	85	. %	17	. %	16	. %
Other Terminations	9	8	. %	8	. %	11	. %	10	. %
Total Disposed	3,071	3,132	2.0%	3,157	0.8%	3,868	22.5%	3,174	-17.9%
PENDING AT YEAR END									
Case Stayed	50	93	86.0%	91	-2.2%	48	-47.3%	45	-6.3%
Brief Not Filed	1,987	1,834	-7.7%	1,776	-3.2%	1,643	-7.5%	1,734	5.5%
Appellant Brief Filed	579	655	13.1%	592	-9.6%	581	-1.9%	577	-0.7%
Respondent Brief Filed	879	1,027	16.8%	945	-8.0%	990	4.8%	941	-4.9%
Remanded To Trial Court	2	2	. %	24	. %	26	. %	12	. %
Set For Motion On The Merits	234	152	-35.0%	158	3.9%	26	. %	48	. %
Ruling Referred To Panel	54	147	172.2%	237	61.2%	59	-75.1%	36	-39.0%
Set For Oral Argument	432	387	-10.4%	433	11.9%	267	-38.3%	241	-9.7%
Total Awaiting Hearing	4,217	4,297	1.9%	4,256	-1.0%	3,640	-14.5%	3,634	-0.2%
Opinion/Order In Process	282	275	-2.5%	288	4.7%	208	-27.8%	418	101.0%
Total Pending Decision	4,499	4,572	1.6%	4,544	-0.6%	3,848	-15.3%	4,052	5.3%
MANDATED									
Opinions	1,559	1,539	-1.3%	1,604	4.2%	2,090	30.3%	1,750	-16.3%
Commissioners' Rulings	641	683	6.6%	713	4.4%	750	5.2%	756	0.8%
Other	909	766	-15.7%	736	-3.9%	887	20.5%	819	-7.7%
Total Mandated	3,109	2,988	-3.9%	3,053	2.2%	3,727	22.1%	3,325	-10.8%

¹ Includes both matters transferred to other divisions and those certified to the Supreme Court.

The Court of Appeals
 Court Activity, All Divisions, Personal Restraint Petitions, 1994-1998

	1994	1995	% Chg	1996	% Chg	1997	% Chg	1998	% Chg
FILINGS									
New Filings	375	421	12.3%	510	21.1%	415	-18.6%	575	38.6%
Transfers	26	44	. %	38	-13.6%	30	-21.1%	28	. %
Total Filings	401	465	16.0%	548	17.8%	445	-18.8%	603	35.5%
DISPOSITIONS									
Opinions Published	11	15	. %	7	. %	10	. %	12	. %
Opinions Unpublished	31	27	. %	38	. %	53	39.5%	24	. %
Opinions	42	42	0.0%	45	7.1%	63	40.0%	36	-42.9%
Motion On The Merits	4	4	. %	1	. %	4	. %	1	. %
Other Rulings	0	1	. %	0	. %	2	. %	1	. %
Commissioners' Rulings	4	5	. %	1	. %	6	. %	2	. %
Dismissed	410	355	-13.4%	509	43.4%	410	-19.4%	468	14.1%
Transferred/Certified ¹	1	6	. %	3	. %	2	. %	3	. %
Review Not Accepted	0	0	. %	0	. %	0	. %	0	. %
Other Terminations	1	4	. %	7	. %	4	. %	4	. %
Total Disposed	458	412	-10.0%	565	37.1%	485	-14.2%	513	5.8%
PENDING AT YEAR END									
Case Stayed	1	34	. %	10	. %	4	. %	9	. %
Brief Not Filed	166	181	9.0%	179	-1.1%	162	-9.5%	244	50.6%
Appellant Brief Filed	0	0	. %	3	. %	0	. %	0	. %
Respondent Brief Filed	0	0	. %	1	. %	1	. %	1	. %
Remanded To Trial Court	1	0	. %	0	. %	1	. %	2	. %
Set For Motion On The Merits	4	2	. %	2	. %	0	. %	0	. %
Ruling Referred To Panel	0	3	. %	10	. %	2	. %	2	. %
Set For Oral Argument	13	8	. %	6	. %	6	. %	5	. %
Total Awaiting Hearing	185	228	23.2%	211	-7.5%	176	-16.6%	263	49.4%
Opinion/Order In Process	8	13	. %	13	. %	6	. %	12	. %
Total Pending Decision	193	241	24.9%	224	-7.1%	182	-18.8%	275	51.1%
MANDATED									
Opinions	39	46	17.9%	40	-13.0%	49	22.5%	46	-6.1%
Commissioners' Rulings	4	3	. %	4	. %	5	. %	3	. %
Other	434	365	-15.9%	430	17.8%	468	8.8%	433	-7.5%
Total Mandated	477	414	-13.2%	474	14.5%	522	10.1%	482	-7.7%

1 Includes both matters transferred to other divisions and those certified to the Supreme Court.

The Court of Appeals
Court Activity, All Divisions, Notices Of Discretionary Review, 1994-1998

	1994	1995	% Chg	1996	% Chg	1997	% Chg	1998	% Chg
FILINGS									
New Filings	410	453	10.5%	492	8.6%	429	-12.8%	439	2.3%
Transfers	0	2	. %	15	. %	2	. %	3	. %
Total Filings	410	455	11.0%	507	11.4%	431	-15.0%	442	2.6%
DISPOSITIONS									
Opinions Published	13	19	. %	34	. %	37	8.8%	30	-18.9%
Opinions Unpublished	11	23	. %	33	. %	45	36.4%	35	-22.2%
Opinions	24	42	. %	67	59.5%	82	22.4%	65	-20.7%
Motion On The Merits	0	2	. %	2	. %	0	. %	0	. %
Other Rulings	1	0	. %	3	. %	0	. %	0	. %
Commissioners' Rulings	1	2	. %	5	. %	0	. %	0	. %
Dismissed	44	41	-6.8%	58	41.5%	80	37.9%	103	28.8%
Transferred/Certified ¹	2	5	. %	19	. %	4	. %	2	. %
Review Not Accepted	249	251	0.8%	265	5.6%	288	8.7%	261	-9.4%
Other Terminations	48	42	-12.5%	47	11.9%	45	-4.3%	33	-26.7%
Total Disposed	368	383	4.1%	461	20.4%	499	8.2%	464	-7.0%
PENDING AT YEAR END									
Case Stayed	3	10	. %	18	. %	11	. %	8	. %
Brief Not Filed	134	176	31.3%	202	14.8%	151	-25.2%	132	-12.6%
Appellant Brief Filed	9	10	. %	19	. %	11	. %	17	. %
Respondent Brief Filed	16	28	. %	23	. %	26	. %	13	. %
Remanded To Trial Court	1	0	. %	0	. %	0	. %	1	. %
Set For Motion On The Merits	1	2	. %	0	. %	0	. %	1	. %
Ruling Referred To Panel	2	7	. %	3	. %	0	. %	5	. %
Set For Oral Argument	6	8	. %	15	. %	19	. %	7	. %
Total Awaiting Hearing	172	241	40.1%	280	16.2%	218	-22.1%	184	-15.6%
Opinion/Order In Process	3	8	. %	12	. %	10	. %	20	. %
Total Pending Decision	175	249	42.3%	292	17.3%	228	-21.9%	204	-10.5%
MANDATED									
Opinions	27	32	. %	55	71.9%	74	34.5%	76	2.7%
Commissioners' Rulings	1	1	. %	6	. %	0	. %	0	. %
Other	344	350	1.7%	353	0.9%	412	16.7%	380	-7.8%
Total Mandated	372	383	3.0%	414	8.1%	486	17.4%	456	-6.2%

1 Includes both matters transferred to other divisions and those certified to the Supreme Court.

The Court of Appeals
Days Between Events For Criminal Appeals -- 75th Percentile1,1994-1998

	1994	1995	% Chg	1996	% Chg	1997	% Chg	1998	% Chg
DIVISION I									
Filing - Comp. of Record	.	.	.%	.	.%	.	.%	149	.%
Filing - Stmt. of Arrgmts.	.	.	.%	.	.%	.	.%	53	.%
Stmt. of Arrgmts. - Comp. of Record	.	.	.%	.	.%	.	.%	97	.%
Comp. of Record - App. Brief	.	.	.%	.	.%	.	.%	88	.%
App. Brief - Ready	.	.	.%	.	.%	.	.%	133	.%
Ready - Opinion	.	.	.%	.	.%	.	.%	266	.%
Filing - Opinion, Div. I2	.	.	.%	.	.%	.	.%	644	.%
DIVISION II									
Filing - Comp. of Record	.	.	.%	.	.%	.	.%	140	.%
Filing - Stmt. of Arrgmts.	.	.	.%	.	.%	.	.%	67	.%
Stmt. of Arrgmts. - Comp. of Record	.	.	.%	.	.%	.	.%	86	.%
Comp. of Record - App. Brief	.	.	.%	.	.%	.	.%	165	.%
App. Brief - Ready	.	.	.%	.	.%	.	.%	148	.%
Ready - Opinion	.	.	.%	.	.%	.	.%	403	.%
Filing - Opinion, Div. II2	.	.	.%	.	.%	.	.%	690	.%
DIVISION III									
Filing - Comp. of Record	.	.	.%	.	.%	.	.%	127	.%
Filing - Stmt. of Arrgmts.	.	.	.%	.	.%	.	.%	56	.%
Stmt. of Arrgmts. - Comp. of Record	.	.	.%	.	.%	.	.%	79	.%
Comp. of Record - App. Brief	.	.	.%	.	.%	.	.%	97	.%
App. Brief - Ready	.	.	.%	.	.%	.	.%	170	.%
Ready - Opinion	.	.	.%	.	.%	.	.%	300	.%
Filing - Opinion, Div. III2	.	.	.%	.	.%	.	.%	732	.%
COURT OF APPEALS, TOTAL									
Filing - Comp. of Record	.	.	.%	.	.%	.	.%	141	.%
Filing - Stmt. of Arrgmts.	.	.	.%	.	.%	.	.%	57	.%
Stmt. of Arrgmts. - Comp. of Record	.	.	.%	.	.%	.	.%	88	.%
Comp. of Record - App. Brief	.	.	.%	.	.%	.	.%	114	.%
App. Brief - Ready	.	.	.%	.	.%	.	.%	142	.%
Ready - Opinion	.	.	.%	.	.%	.	.%	308	.%
Filing - Opinion, Court of Appeals2	.	.	.%	.	.%	.	.%	683	.%

1 Substantial revisions were made to the time-in-process reporting model beginning in 1998. Improvements include changes to both data entry and statistical measurement. The 1998 stages are not comparable to those published in prior years' reports.

2 Days to reach the 75th percentile for the full period (filing to opinion) do not necessarily equal the sum of the days for the event categories within that period.

The Court of Appeals
Days Between Events For Civil Appeals -- 75th Percentile1,1994-1998

	1994	1995	% Chg	1996	% Chg	1997	% Chg	1998	% Chg
DIVISION I									
Filing - Comp. of Record	.	.	.%	.	.%	.	.%	136	.%
Filing - Stmt. of Arrgmts.	.	.	.%	.	.%	.	.%	67	.%
Stmt. of Arrgmts. - Comp. of Record	.	.	.%	.	.%	.	.%	86	.%
Comp. of Record - App. Brief	.	.	.%	.	.%	.	.%	88	.%
App. Brief - Ready	.	.	.%	.	.%	.	.%	86	.%
Ready - Opinion	.	.	.%	.	.%	.	.%	377	.%
Filing - Opinion, Div. I2	.	.	.%	.	.%	.	.%	644	.%
DIVISION II									
Filing - Comp. of Record	.	.	.%	.	.%	.	.%	121	.%
Filing - Stmt. of Arrgmts.	.	.	.%	.	.%	.	.%	68	.%
Stmt. of Arrgmts. - Comp. of Record	.	.	.%	.	.%	.	.%	75	.%
Comp. of Record - App. Brief	.	.	.%	.	.%	.	.%	203	.%
App. Brief - Ready	.	.	.%	.	.%	.	.%	68	.%
Ready - Opinion	.	.	.%	.	.%	.	.%	466	.%
Filing - Opinion, Div. II2	.	.	.%	.	.%	.	.%	687	.%
DIVISION III									
Filing - Comp. of Record	.	.	.%	.	.%	.	.%	128	.%
Filing - Stmt. of Arrgmts.	.	.	.%	.	.%	.	.%	75	.%
Stmt. of Arrgmts. - Comp. of Record	.	.	.%	.	.%	.	.%	80	.%
Comp. of Record - App. Brief	.	.	.%	.	.%	.	.%	83	.%
App. Brief - Ready	.	.	.%	.	.%	.	.%	83	.%
Ready - Opinion	.	.	.%	.	.%	.	.%	292	.%
Filing - Opinion, Div. III2	.	.	.%	.	.%	.	.%	542	.%
COURT OF APPEALS, TOTAL									
Filing - Comp. of Record	.	.	.%	.	.%	.	.%	127	.%
Filing - Stmt. of Arrgmts.	.	.	.%	.	.%	.	.%	68	.%
Stmt. of Arrgmts. - Comp. of Record	.	.	.%	.	.%	.	.%	78	.%
Comp. of Record - App. Brief	.	.	.%	.	.%	.	.%	133	.%
App. Brief - Ready	.	.	.%	.	.%	.	.%	83	.%
Ready - Opinion	.	.	.%	.	.%	.	.%	396	.%
Filing - Opinion, Court of Appeals2	.	.	.%	.	.%	.	.%	645	.%

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2 Days to reach the 75th percentile for the full period (filing to opinion) do not necessarily equal the sum of the days for the event categories within that period.

The Court of Appeals
Days Between Events For Total Appeals -- 75th Percentile1,1994-1998

	1994	1995	% Chg	1996	% Chg	1997	% Chg	1998	% Chg
DIVISION I									
Filing - Comp. of Record	.	.	.%	.	.%	.	.%	148	.%
Filing - Stmt. of Arrgmts.	.	.	.%	.	.%	.	.%	59	.%
Stmt. of Arrgmts. - Comp. of Record	.	.	.%	.	.%	.	.%	95	.%
Comp. of Record - App. Brief	.	.	.%	.	.%	.	.%	88	.%
App. Brief - Ready	.	.	.%	.	.%	.	.%	114	.%
Ready - Opinion	.	.	.%	.	.%	.	.%	337	.%
Filing - Opinion, Div. I2	.	.	.%	.	.%	.	.%	644	.%
DIVISION II									
Filing - Comp. of Record	.	.	.%	.	.%	.	.%	134	.%
Filing - Stmt. of Arrgmts.	.	.	.%	.	.%	.	.%	68	.%
Stmt. of Arrgmts. - Comp. of Record	.	.	.%	.	.%	.	.%	83	.%
Comp. of Record - App. Brief	.	.	.%	.	.%	.	.%	189	.%
App. Brief - Ready	.	.	.%	.	.%	.	.%	128	.%
Ready - Opinion	.	.	.%	.	.%	.	.%	449	.%
Filing - Opinion, Div. II2	.	.	.%	.	.%	.	.%	688	.%
DIVISION III									
Filing - Comp. of Record	.	.	.%	.	.%	.	.%	128	.%
Filing - Stmt. of Arrgmts.	.	.	.%	.	.%	.	.%	60	.%
Stmt. of Arrgmts. - Comp. of Record	.	.	.%	.	.%	.	.%	79	.%
Comp. of Record - App. Brief	.	.	.%	.	.%	.	.%	92	.%
App. Brief - Ready	.	.	.%	.	.%	.	.%	137	.%
Ready - Opinion	.	.	.%	.	.%	.	.%	295	.%
Filing - Opinion, Div. III2	.	.	.%	.	.%	.	.%	658	.%
COURT OF APPEALS, TOTAL									
Filing - Comp. of Record	.	.	.%	.	.%	.	.%	138	.%
Filing - Stmt. of Arrgmts.	.	.	.%	.	.%	.	.%	62	.%
Stmt. of Arrgmts. - Comp. of Record	.	.	.%	.	.%	.	.%	85	.%
Comp. of Record - App. Brief	.	.	.%	.	.%	.	.%	120	.%
App. Brief - Ready	.	.	.%	.	.%	.	.%	121	.%
Ready - Opinion	.	.	.%	.	.%	.	.%	357	.%
Filing - Opinion, Court of Appeals2	.	.	.%	.	.%	.	.%	663	.%

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2 Days to reach the 75th percentile for the full period (filing to opinion) do not necessarily equal the sum of the days for the event categories within that period.